

**ORDINANCE NO. \_\_\_\_\_, SERIES 2007**

**AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE FAMILY RESIDENTIAL AND OR-2 OFFICE/RESIDENTIAL TO PD PLANNED DEVELOPMENT AND FROM NEIGHBORHOOD FORM DISTRICT TO TOWN CENTER FORM DISTRICT ON A PORTION OF THE PROPERTY LOCATED AT 4906 BROWNSBORO ROAD AND 2000 WARRINGTON WAY, CONTAINING A TOTAL OF 37.97 ACRES, OF WHICH 32.57 ACRES IS LOCATED IN LOUISVILLE METRO (DOCKET NO. 9-15-06VW) (AS AMENDED).**

**SPONSORED BY: COUNCILMAN TOM OWEN**

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (the "Council") has considered the evidence presented at the public hearing held by the Louisville Metro Planning Commission and the recommendations of the Commission and its staff as set out in the minutes and records of the Planning Commission in Docket No. 9-15-06VW; and

WHEREAS, the Council concurs in and adopts the findings of the Planning Commission for the zoning change in Docket No. 9-15-06VW and approves and accepts the recommendations of the Planning Commission as set out in said minutes and records, with two amendments to the binding elements as stated below;

**NOW THEREFORE BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:**

**Section I:** That the zoning on the portion of the property located in Louisville Metro, which is located at 4906 Brownsboro Road and 2000 Warrington Way, containing a total of 37.97 acres, of which 32.57 acres is located in Louisville Metro, and that is more particularly described in the minutes and records of the Planning Commission in Docket No. 9-15-06VW is hereby changed from R-4 Single Family Residential and OR-2 Office/Residential to PD Planned Development and from Neighborhood Form District to Town Center Form District, provided, however, said property shall be subject to the binding elements as set forth in the minutes of the Planning Commission in Docket No. 9-15-06VW, with the following two amendments to said binding elements:

27. (A) A detailed district development plan, for any subsequent phase(s) of this project shall:

- (a) Be in accordance with the approved concept (general) plan.
- (b) Be accompanied by traffic and air quality analyses, completed per Transportation Plan Review (DPDS) and APCD requirements, and based upon the actual uses and projected trip generations.

The scope of review for detailed district development plans under this section (A) shall be as provided for in Land Development Code Sec. 2.8.6.A.3 and Sec. 11.4.7.F.2.

(B) Building permits for subsequent phases shall not be issued until the earlier of (i) the completion of the Westport Road/I-264 interchange, or (ii) January 1, 2009.

30. Right-of-way necessary for future improvements to the I-264/US 42 interchange (as determined by KTC or Louisville Metro Public Works during review of a detailed development plan) to accommodate a one-lane 25 MPH slip ramp from I-264 to Brownsboro Road, shall be dedicated by the developer at the time of approval of detail district development plans adjacent to the area proposed for the slip ramp, or in any case no later than February 1, 2010. ~~for all phases of this project.~~

**Section II:** This Ordinance shall take effect upon passage and approval.

\_\_\_\_\_  
Kathleen J. Herron  
Metro Council Clerk

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Rick Blackwell  
President of the Council

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Jerry Abramson  
Mayor

Approved: \_\_\_\_\_  
Date

**APPROVED AS TO FORM AND LEGALITY:**

Irv Maze  
Jefferson County Attorney

By: \_\_\_\_\_